

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**
2020 MAR -4 PM 3:32

CLERK'S OFFICE
AT BALTIMORE
UNITED STATES OF AMERICA

CRIMINAL NO. DKC-20-0038

v.

CHRISTOPHER SCOTT BENTON,
a/k/a "Brisco,"
JARVIS ANTONIO COLEMAN-FULLER,
ERIC TYRELL JOHNSON,
a/k/a "E,"
JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"
THAMAR J SMITH,
a/k/a "SK," a/k/a "Skoal,"
PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"
EDWARD MELVIN WARE,
a/k/a "Eddie," and
TYLER LEE WARE,
a/k/a "Bugsy,"

Defendants.

(Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances, 21 U.S.C. § 846; Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1); Possession with Intent to Distribute Controlled Substances, 21 U.S.C. § 841(a)(1); Possession of a Firearm and Ammunition by a Prohibited Person, 18 U.S.C. § 922(g); Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. § 924(c); Possession of Body Armor by a Violent Felon, 18 U.S.C. § 931(a); Aiding and Abetting, 18 U.S.C. § 2; Forfeiture, 18 U.S.C. § 924(d), 21 U.S.C. § 853, 28 U.S.C. § 2461(c))

SECOND SUPERSEDING INDICTMENT

COUNT ONE

(Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland charges that:

1. From in or about April 2019 to in or about November 2019, in the District of Maryland and elsewhere, the Defendants,

CHRISTOPHER SCOTT BENTON,
a/k/a "Brisco,"
JARVIS ANTONIO COLEMAN-FULLER,
ERIC TYRELL JOHNSON,
a/k/a "E,"
JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"
THAMAR J SMITH,
a/k/a "SK," a/k/a "Skoal,"

**PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"
EDWARD MELVIN WARE,
a/k/a "Eddie," and
TYLER LEE WARE,
a/k/a "Bugsy,"**

did knowingly and willfully combine, conspire, confederate, and agree with each other, and with other persons known and unknown to the Grand Jury, to distribute and to possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (commonly known as fentanyl), a Schedule II controlled substance; and a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1).

2. As to **JEROAM EDWIN NELSON, JR.**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(A)(vi); and at least 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(A)(i).

3. As to **PHILANDER ALEXANDER SPRUILL**, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was: at least 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(A)(vi).

4. As to **CHRISTOPHER SCOTT BENTON**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 400 grams or more of a mixture or substance

containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(A)(vi); and at least 100 grams or more of a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(B)(i).

5. As to **THAMAR J SMITH**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(B)(vi); and at least 100 grams or more of a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(B)(i).

6. As to **ERIC TYRELL JOHNSON**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(B)(vi); and at least 100 grams or more of a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(B)(i).

7. As to **JARVIS ANTONIO COLEMAN-FULLER**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(B)(vi); and at least 100 grams or more of a mixture and substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(B)(i).

8. As to **TYLER LEE WARE**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(B)(vi); and a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(b)(1)(C).

9. As to **EDWARD MELVIN WARE**, the amounts involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, were: at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (fentanyl), in violation of 21 U.S.C. § 841(b)(1)(B)(vi); and a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(b)(1)(C).

21 U.S.C. § 846

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(A), (b)(1)(B), (b)(1)(C)

COUNT TWO
(Distribution of Controlled Substances)

The Grand Jury for the District of Maryland further charges that:

On or about July 4, 2019, in the District of Maryland, the Defendant,

TYLER LEE WARE,
a/k/a "Bugsy,"

did knowingly and intentionally distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(C)

COUNT THREE
(Possession with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland further charges that:

On or about August 9, 2019, in the District of Maryland, the Defendant,

THAMAR J SMITH,
a/k/a "SK," a/k/a "Skoal,"

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), a Schedule II controlled substance; and a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(C)

COUNT FOUR
(Possession with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland further charges that:

On or about August 12, 2019, in the District of Maryland, the Defendant,

ERIC TYRELL JOHNSON,
a/k/a "E,"

did knowingly and intentionally possess with intent to distribute at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), a Schedule II controlled substance; and at least 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)(i), (vi)

COUNT FIVE

(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about August 12, 2019, in the District of Maryland, the Defendant,

**ERIC TYRELL JOHNSON,
a/k/a "E,"**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition: to wit, one Glock 42 .380 caliber pistol bearing serial number ACXM176, and .380 caliber ammunition; and the Defendant's possession thereof was in and affecting commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(e)(1)

COUNT SIX
(Possession with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland further charges that:

On or about August 12, 2019, in the District of Maryland, the Defendant,

PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"

did knowingly and intentionally possess with intent to distribute at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)(vi)

COUNT SEVEN

(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about August 12, 2019, in the District of Maryland, the Defendant,

**PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition: to wit, one North American Arms .22 caliber revolver bearing serial number L028465, and five Federal .22 caliber LR cartridges; and the Defendant's possession thereof was in and affecting commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

COUNT EIGHT

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury for the District of Maryland further charges that:

On or about August 12, 2019, in the District of Maryland, the Defendant,

**PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"**

did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States; to wit, in furtherance of the drug trafficking crimes alleged in Count One (Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. § 846) and Count Six (Possession with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. § 841(a)(1)) of this Indictment, **SPRUILL** possessed one North American Arms .22 caliber revolver bearing serial number L028465.

18 U.S.C. § 2

18 U.S.C. § 924(c)(1)(A)(i)

COUNT NINE
(Possession with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"

did knowingly and intentionally possess with intent to distribute at least 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance; and at least 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(A)(i), (vi)

COUNT TEN
(Possession of Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition: to wit, forty-five Winchester 9 mm Luger cartridges; and the Defendant's possession thereof was in and affecting commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

COUNT ELEVEN
(Possession with Intent to Distribute Controlled Substances)

The Grand Jury for the District of Maryland charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JARVIS ANTONIO COLEMAN-FULLER,

did knowingly and intentionally possess with intent to distribute at least 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (fentanyl), a Schedule II controlled substance; and a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)(vi)

21 U.S.C. § 841(b)(1)(C)

COUNT TWELVE
(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JARVIS ANTONIO COLEMAN-FULLER,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition: to wit, one Anderson Manufacturing AM-15 .223 caliber rifle bearing serial number 15212209, and one Taurus PT100 .40 caliber pistol bearing serial number SNE76308; and .45 caliber ammunition, .40 caliber ammunition, and Federal .223 caliber cartridges; and the Defendant's possession thereof was in and affecting commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

COUNT THIRTEEN

(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JARVIS ANTONIO COLEMAN-FULLER,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition: to wit, one Beretta PX4 Storm .45 caliber pistol bearing serial number PK22115, and .45 caliber ammunition; and the Defendant's possession thereof was in and affecting commerce.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

COUNT FOURTEEN

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury for the District of Maryland further charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JARVIS ANTONIO COLEMAN-FULLER,

did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States; to wit, in furtherance of the drug trafficking crimes alleged in Count One (Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. § 846) and Count Eleven (Possession with Intent to Distribute Controlled Substances, in violation of 21 U.S.C. § 841(a)(1)) of this Indictment, **COLEMAN-FULLER** possessed one Anderson Manufacturing AM-15 .223 caliber rifle bearing serial number 15212209, and one Taurus PT100 .40 caliber pistol bearing serial number SNE76308.

18 U.S.C. § 924(c)(1)(A)(i)

COUNT FIFTEEN
(Possession of Body Armor by a Violent Felon)

The Grand Jury for the District of Maryland further charges that:

On or about September 9, 2019, in the District of Maryland, the Defendant,

JARVIS ANTONIO COLEMAN-FULLER,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, which crime constitutes a crime of violence as defined in 18 U.S.C. § 16, knowingly possessed a personal protective body covering intended to protect against gunfire that was sold and offered for sale in interstate and foreign commerce: to wit, AR500 Armor body armor plates.

18 U.S.C. § 931(a)(1)

18 U.S.C. § 924(a)(7)

18 U.S.C. § 921(a)(35)

FORFEITURE

The Grand Jury for the District of Maryland further charges that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the Defendants that the United States of America will seek forfeiture as a part of any sentence: (a) as a result of a conviction of an offense in violation of 21 U.S.C. §§ 841 or 846, in accordance with 21 U.S.C. § 853 and 28 U.S.C. § 2461(c); and (b) as a result of a conviction of an offense in violation of 18 U.S.C. §§ 922 or 924, in accordance with 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

Narcotics Forfeiture

2. Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. §§ 841 or 846, the Defendants,

**CHRISTOPHER SCOTT BENTON,
a/k/a "Brisco,"
JARVIS ANTONIO COLEMAN-FULLER,
ERIC TYRELL JOHNSON,
a/k/a "E,"
JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"
THAMAR J SMITH,
a/k/a "SK," a/k/a "Skoal,"
PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"
EDWARD MELVIN WARE,
a/k/a "Eddie," and
TYLER LEE WARE,
a/k/a "Bugsy,"**

shall forfeit to the United States of America:

a. any property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and

b. any property, real or personal, used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

3. The property to be forfeited includes, but is not limited to, the following:
- a. one Glock 42 .380 caliber pistol bearing serial number ACXM176, and .380 caliber ammunition;
 - b. one North American Arms .22 caliber revolver bearing serial number L028465, and five Federal .22 caliber LR cartridges;
 - c. one Anderson Manufacturing AM-15 .223 caliber rifle bearing serial number 15212209, and Federal .223 caliber cartridges;
 - d. one Taurus PT100 .40 caliber pistol bearing serial number SNE76308, and .40 caliber ammunition; and
 - e. At least \$16,223 in United States currency, consisting of:
 - i. \$286 seized from 17614 Basalt Way, Hagerstown, MD, on August 9, 2019;
 - ii. \$4,423 seized from 10090 Mill Run Circle, Apt. 201, Owings Mills, MD, on August 12, 2019;
 - iii. \$449 seized from 746 Spruce Street, Apt. A, Hagerstown, MD, on August 12, 2019;
 - iv. \$316 seized from a 2012 Acura TL on August 12, 2019;
 - v. \$264 seized from 956 Lanvale Street, Hagerstown, MD on August 12, 2019;
 - vi. \$194 seized from 105 East Hillcrest Road, Hagerstown, MD on September 9, 2019;
 - vii. \$2,180 seized from a 2018 Chevrolet Impala on September 9, 2019;
- and

viii. \$8,111 seized from 30 East Franklin Street, Apt. 3, Hagerstown, MD on September 9, 2019;

in that such sum in aggregate was furnished or intended to be furnished in exchange for controlled substances and constitutes proceeds traceable to such exchanges, and was used or intended to be used to facilitate a violation of the Controlled Substances Act.

Firearms Forfeiture

4. Pursuant to 18 U.S.C. § 924(d), upon conviction of an offense in violation of 18 U.S.C. §§ 922(g) or 924(c), the Defendants,

**JARVIS ANTONIO COLEMAN-FULLER,
ERIC TYRELL JOHNSON,
a/k/a "E,"
JEROAM EDWIN NELSON, JR.,
a/k/a "Boob,"
PHILANDER ALEXANDER SPRUILL,
a/k/a "Buddha,"**

shall forfeit to the United States of America the firearms and ammunition identified as being involved in the offenses: to wit, the following firearms and ammunition:

- a. one Glock 42 .380 caliber pistol bearing serial number ACXM176, and .380 caliber ammunition;
- b. one North American Arms .22 caliber revolver bearing serial number L028465, and five Federal .22 caliber LR cartridges;
- c. forty-five Winchester 9 mm Luger cartridges;
- d. one Anderson Manufacturing AM-15 .223 caliber rifle bearing serial number 15212209, and Federal .223 caliber cartridges;
- e. one Taurus PT100 .40 caliber pistol bearing serial number SNE76308, and .40 caliber ammunition; and

f. one Beretta PX4 Storm .45 caliber pistol bearing serial number PK22115, and .45 caliber ammunition.

5. If, as a result of any act or omission of the Defendants, any of the property described above: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

18 U.S.C. § 924(d)
21 U.S.C. § 853
28 U.S.C. § 2461


ROBERT K. HUR
United States Attorney

A TRUE BILL:

3/4/2020
Date


SIGNATURE REDACTED

Foreperson